

REQUEST FOR PROPOSALS

for

Energy Savings Contractors for Performance Contract

Proposal Number BC-00-00-02-00

BOARD OF COUNTY COMMISSIONERS

LEON COUNTY, FLORIDA

SCOPE OF SERVICES

TABLE OF CONTENTS

1.01	General Information	1
1.1	Purpose	1
1.2	Performance Contracting	1
1.3	Project Funding	1
1.4	Saving Guarantee	1
1.5	Eligible Bidders	1
1.6	Proposal Format	2
1.7	Contract Responsibility	2
1.8	Pre-proposal Conference	2
1.9	Payments	2
1.10	Required Bonds and Insurance	2
1.11	Taxes, Fees, Code Compliance, Licensing	3
1.12	References and Proprietary Information	3
1.13	Inquiries	3
2.01	Response Format and Preparation Instructions	4
2.1	Table of Contents	4
2.2	Executive Summary	4
2.3	Experience and Background	4
2.4	Technical Approach	5
2.5	Financial Approach	6
2.6	Supply Side Utility Management Services	6
2.7	Indoor Air Quality (IAQ) Services	6
2.8	Other Benefits	6
3.01	Selection Criteria	7
3.1	Completeness	7
3.2	Formal Evaluation of RFP Responses	7
3.3	Final Selection	8
3.4	Notification	8
4.0	Contract Evaluation Form	10

1.0 General Information

1.1 Purpose

This Request For Proposals (RFP) requests the services of a performance contractor to develop and implement a comprehensive energy management program for the Owner in order to realize maximum energy and operational savings. Timely implementation of this project is of the essence.

1.2 Performance Contracting

For the purposes of this document, "Performance Contract" or "Guaranteed Energy Savings Contract" means a contract for energy efficiency service and equipment in which the payment obligation is directly guaranteed by the performance contractor to be less than the energy and/or operational cost savings attributable to the services and/or equipment under the contract for the term of the agreement.

1.3 Project Funding

Respondents shall be willing and able to provide the capital investment required to fund this project. This performance contract shall be financed and paid for from energy and operational savings through a lease with 100% of savings above the guaranteed amount to be the sole property of the Owner. The proposed agreement shall not constitute a debt, liability, or obligation of the Owner, nor is a pledge of the faith and credit of the Owner.

1.4 Savings Guarantee

The performance contractor shall provide a written savings guarantee in accordance with Section 489.145 of the Florida Statutes. The total program costs, including interest cost, maintenance costs, and other costs, shall be 100% covered by program energy and operational savings. The guarantee shall be monitored at least quarterly and reconciled on an annual basis, commencing one year from the date of completion of installation. In the event that the actual savings are less than the guaranteed savings, the performance contractor shall provide cash reconciliation of the difference within 30 days. The performance contractor's guarantee shall be a first party direct guarantee from the contractor to the Owner. No third party guarantee, such as from a non-contractor insurance company, shall be accepted. In addition to the guarantee, the Owner will request that a letter of credit be provided from the selected company to cover the entire project amount.

1.5 Eligible Bidders

In order to receive consideration for this project, the respondent must have completed at least one performance contracting project within the state of Florida utilizing Florida Statute 235.215 or 489.415 and no less than two projects of similar nature in Florida or other jurisdictions. The respondent must have served as the prime contractor on each of these projects in order for them to count towards the Owner's requirement. No credit will be given for projects where the respondent served as; a subcontractor or engineering consultant to the prime contractor, an owner's representative, a third-party advisor, or any other role which was clearly not that of the prime contractor. For the purposes of this project, prime contractor is defined as the contractor ultimately responsible for the successor failure of the performance contract (total accountability for whether or not the guaranteed savings were achieved). No other project references will be accepted.

1.6 Proposal Format

Proposals must be submitted in the format outlined in this document. Each proposal will be reviewed to determine if it is complete prior to actual evaluation. Proposals not containing the information requested will not be considered. Respondents shall use this format to clearly indicate their firm's experience and qualifications and to describe their approach to this project. Proposals shall be limited to no more than 20

pages. Pages printed on both front and back will count as two pages. If the response exceeds 20 pages, the pages will be numbered and all pages above 20 will be removed and not evaluated. Sample energy audits, sample contracts, company annual reports and training program brochures will not count toward the page limit. Proposals will be evaluated in light of the material and substantiating evidence presented in the proposal and not on the basis of what is inferred.

1.7 Contract Responsibility

The selected contractor will be required to assume total responsibility for all services offered in his proposal and will be considered the prime contractor and the sole point of contact with regard to all contractual matters (including warranties, maintenance and guarantee monitoring).

1.8 Pre-Proposal Conference

A mandatory pre-proposal conference will be held at the Facilities Management Division Offices, 1907-A South Monroe Street, Tallahassee, Florida. Companies who do not send an authorized representative to this pre-proposal conference will have their proposals returned unopened and will not be considered.

1.9 Payments

Fixed payments shall be made to the performance contractor or its assignee for the term of the guaranteed energy savings contract. Such payments shall not exceed the total energy and operational savings realized under this program for the term of this agreement.

1.10 Required Bonds and Insurance

Prior to award of a Guaranteed Energy Savings Contract, the performance contractor shall provide the Owner with a 100% project value bond for its faithful performance as required by Section 489.145 of the Florida Statutes. The successful respondent shall procure and maintain in effect during the life of the agreement commercial general liability insurance in amount not less than \$5,000,000 each occurrence, comprehensive automotive liability insurance in amount not less than \$5,000,000, and workers compensation insurance in amount not less than \$1,000,000 each accident to adequately protect the interests of the Owner. In addition, professional liability insurance coverage shall be in force according to the requirements for engineering design work in the state of Florida. Evidence of required bonds and insurance shall be presented prior to execution of a Guaranteed Energy Savings Contract and within 10 days of the award of the contract. Provision of the required bonds and insurance is a condition precedent to the award of contract. Insurance policies to be carried under the agreement shall not be changed or canceled without prior written notification to the Owner.

1.11 Taxes, Fees, Code Compliance, Licensing

The performance contractor shall be responsible for payment of any required taxes or fees associated with the execution of the Guaranteed Energy Savings Contract. The performance contractor shall be responsible for compliance with all applicable codes and statutes and permitting requirements. All engineering, design, installation and construction work shall be done by contractors licensed in the state of Florida.

1.12 References and Proprietary Information

Submission of a response grants permission to make inquiries concerning their respondent and its officers to any persons or firms deemed appropriate by the Owner. Any proprietary information that the contractor does not want disclosed to the public shall be so identified on each page in which it is found. The Owner, solely for the purpose of evaluation and contract negotiations, will use data or information so identified.

1.13 Inquiries

Questions that arise prior to the pre-proposal conference shall be submitted in writing to Leon County Facilities Management Division.

2.0 **Response Format and Preparation Instructions**

Firms will be ranked based upon performance contracting experience, corporate financial stability, project team qualifications, uniqueness of proposed solution and any other criteria deemed important by the Owner. Provide five copies of your response submitted in the format outlined in this section. Each response will be reviewed to determine if it is complete prior to actual evaluation. The Owner reserves the right to eliminate from further consideration any response, which is deemed to be substantially or materially unresponsive to the request for information contained in this section. The intent is that all responses follow the same format in order to evaluate each response fairly. Proposals will be evaluated in light of the material and substantiating evidence presented in the proposal and not on the basis of what is inferred.

Begin each section described herein on a separate page. Number the pages in each section consecutively. Each page shall have the name of the respondent indicated clearly at the top of each page.

2.1 Table of Contents

Responses shall include a Table of Contents properly indicating the section and page numbers of the information included.

2.2 Executive Summary

Responses shall include a concise abstract of no more than two pages stating the respondent's overview of the project.

2.3 Experience and Background

A. Firm Profile

Provide general information on the responding firm including name, address, telephone number, officers of the firm, and contact person for this project. The respondent shall provide a Certificate of Insurance detailing present coverage and limits along with information regarding bonding capacity and bonding rate. Provide a copy of the latest company annual report and a summary of the longevity and financial strength of your firm.

B. Project Team

List the members of your in-house project team that will be used on this project and their qualifications including education, experience in their current position, Florida performance contracts they have been involved with, years of service with your firm, and any other pertinent information. Only include qualifications for the members of your in-house project team, as the Owner is not interested in your subcontractors at this point in the process. Once the most qualified prime contractor has been selected, the Owner will then request this same information for all subcontractors your firm anticipates using in order to approve or disapprove their inclusion on your project team.

C. References

In order to receive consideration for this project, the respondent must have completed at least one performance contracting project within the state of Florida utilizing Florida Statute 235.215 or 489.415 and no less than two projects of similar nature in Florida or other jurisdictions. The respondent must have served as the prime contractor on each of these projects in order for them to count towards the

Owner's requirement. No credit will be given for projects where the respondent served as; a subcontractor or engineering consultant to the prime contractor, an owner's representative, a third-party advisor, or any other role which was clearly not that of the prime contractor. For the purposes of this project, prime contractor is defined as the contractor ultimately responsible for the success/failure of the performance contract (total accountability for whether or not the guaranteed savings were achieved). References for projects where the respondent was not the prime contractor are not acceptable.

For each reference, indicate completion date of installation, services and equipment provided, savings performance for each year of the project, annual guaranteed savings, project cost, and contract term along with each Owner's name, address, telephone number, and contact person. The projects that have performed annual reconciliation will be most beneficial. Indicating actual savings attained compared to the guaranteed amount will earn additional points.

2.4 Technical Approach

A. Scope of Experience

For the projects listed in Section 2.3-C above, clearly indicate the scope of work that was provided for each customer, type of equipment used, the cost of the project, and the date the work was completed. This section is designed to provide the Owner with an understanding of what types of conservation measures your firm has successfully implemented.

B. Owner Training

Provide detailed information on the training programs available to the Owner's maintenance personnel including course content, location, schedule, and number of trainees. Describe the process your firm intends to use to develop a custom-tailored training program for the Owner's staff.

C. Project Management

Provide detailed information regarding your firm's approach to managing a project of this magnitude along with a step-by-step process of how your firm will simultaneously manage multiple subcontractors. Include a copy of the actual project schedule your firm used on a similar performance contract. Describe the responsibilities of your various team members for effective project management.

D. Savings Projections

Indicate your firm's approach to projecting the energy and operational savings associated with this project and the methodology utilized to report energy and operational savings. Provide a list of Florida customers where your firm currently holds a savings guarantee along with the actual savings performance for each year of the project.

2.5 Financial Approach

A. Financing Source

Describe the sources and types of financing the respondent will use to implement this project. Provide a list of Florida performance contracts that your firm has completed along with the method of financing provided.

B. Sample Contract

Include a copy of an executed performance contract used by your firm with a similar Florida project.

This contract must include the actual scope of work, financing method, written guarantee and financial cash flow models.

C. Maintenance Strategies

Describe the process your firm intends to use to develop a comprehensive maintenance strategy for the facilities along with your firm's approach to the following four maintenance concepts: reactive, preventive, predictive, proactive.

D. Monitoring of Project Savings

Describe the processes, tools, and personnel used to effectively monitor energy and operational savings. Provide a list of Florida projects where your firm is currently monitoring savings and include a sample copy of a customer savings report for a project currently being monitored by your firm.

2.6 Supply Side Utility Management Services

Describe any experience your firm has related to supply side management and provide details on how the Owner will benefit from this offering.

2.7 Indoor Air Quality (IAQ) Services

Describe how your firm will address Indoor Air Quality (IAQ) as part of this performance contract. Include the qualifications and experience for the individuals responsible for addressing IAQ along with a sample report generated on a similar performance contract.

2.8 Other Benefits

Describe any other benefits Leon County Facilities Management Division will realize by implementing this Guaranteed Energy Savings Contract.

3.0 Selection Criteria

3.1 Completeness

Each response will be reviewed prior to the selection process for completeness and adherence to format. A response will be considered complete if all requested sections are included in the proper order and properly completed.

3.2 Formal Evaluation of RFP Responses

A. Evaluation Process

Leon County Facilities Management Division will appoint a selection committee to objectively grade the responses on their merit and responsiveness. Responses will be evaluated in light of the material and substantiating evidence presented in the response and not on the basis of what is inferred. The evaluation process will include verification of references, verification of project team resumes, confirmation of financial information and may also include other information as directed by the Owner.

B. Grading Format

Each section or subsection of the RFP response will be considered a separate selection criterion and will be graded individually. The point value for each criterion shall be multiplied by the percentage grade to give the criterion score. All scores will be summed to give the Grand Total Score. The maximum possible Grand Total Score for the RFP response is 220 points. Scores will be summarized

RFP Title: Request for Proposals from Energy Savings Contractors for Performance Contract
 Proposal Number: BC-00-00-02-00
 Opening Date:

Attachment # 9
 Page 8 of 12

on the RFP Evaluation Form.

Point Values

Experience & Background	60 Total Points
Firm Profile	10
Project Team	20
References	20
Current Work Load	10
Technical Approach	50 Total Points
Scope of Experience	10
Owner Training	10
Project Management	10
Savings Projections	10
Design and Monitoring	10
Financial Approach	40 Total Points
Financing Source	10
Sample Contract	10
Maintenance Strategies	10
Monitoring of Project Savings	10
Supply Side Management	10 Total Points
Indoor Air Quality Services	10 Total Points
Other Benefits	10 Total Points
Bid Procurement & W/MBE Goals	40 Total Points
Bid Protocols & Policies	10
W/MBE Compliance	20
Recordkeeping & reports	10
GRAND TOTAL	220 Total Points

Percentage Grades

Grade	Description
0%	Criterion was not addressed in the response or material presented was totally without merit.
20%	Criterion was addressed minimally; response indicated little capability, experience, or understanding of topic.
40%	Criterion was addressed minimally but response shows some capability, experience, or understanding of topic.
60%	Criterion was addressed adequately with a basic capability, experience, or understanding of topic.
80%	Criterion was addressed well. The response indicates some superior features.
100%	Criterion was addressed in superior fashion, indicating excellent or outstanding capability.

Scoring Example

Firm Profile has a point value of 10 points. If Response A addresses the topic well (the definition of the 80% grade), the 10 point value for the criterion would be multiplied by 80%.

<u>Point Value</u>	<u>Grade</u>	<u>Score</u>
10	80%	8.0

3.3 Final Selection

The Grand Total Score from each respondent's RFP response will be ranked from highest to lowest and the Owner will begin negotiations with the top-ranked respondent, subject to the approval of the Leon County Board of County Commissioners. If negotiations are unsuccessful, the Owner will move to the next-ranked respondent and continue down the ranks until a contract is successfully executed with one performance contractor.

3.4 Notification

Leon County Facilities Management Division will notify the selected firm by mail.

4.0 Leon County Facilities Management Division Performance Contract Evaluation Form

Name of Respondent			
Section Name	Point Value	Percentage	Score
Experience & Background	60		
Firm Profile	10		
Project Team	20		
References	20		
Current Work Load	10		
Technical Approach	50		
Scope of Experience	10		
Owner Training	10		
Project Management	10		
Savings Projections	10		
Design and Monitoring	10		
Financial Approach	40		
Financing Source	10		
Sample Contract	10		
Maintenance Strategies	10		
Monitoring of Project Savings	10		
Supply Side Management	10		
Indoor Air Quality Services	10		
Other Benefits	10		
Bid Procurement & W/MBE Goals	40		
Bid Protocols & Policies	10		
W/MBE Compliance	20		
Recordkeeping & Reports	10		
Grand Total Score (Possible 220)			

Post-it* Fax Note	7671	Date	10/10/02	Page	22
To	C. J. P. R. D. B. S. T. C. K.		From	B. K. R. E. I. V.	
Co. Dept.	1000 C. C. O. U. T. Y.		Co.	C. O. T.	
Phone #	755-1448		Phone #	891-8516	
Fax #	468-9174		Fax #		

Attachment #

9

Page

11 of 12

REQUEST FOR QUALIFICATIONS (RFQ) DOCUMENT FOR ENERGY SERVICES COMPANIES

The City of Tallahassee, Florida (hereinafter referred to as CITY) is seeking specific qualifications from interested Energy Services Companies (ESCOs) that are capable of providing comprehensive energy management and energy-related capital improvement services.

The CITY is interested in contracting for a full range of energy services and energy-related capital improvements financed through a performance-based contract, shared savings, guaranteed savings or similar agreement at no initial capital cost to City. These services may include but are not limited to: (i) an energy audit; (ii) the design, acquisition, installation, modification, maintenance and training in the operation of existing and new equipment, which will reduce demand and energy consumption associated with the heating, ventilation and air conditioning system, the lighting system, building envelope, the domestic hot water system, and other energy using devices; including energy system improvements aimed at cost savings, such as fuel switching or demand reductions. Services requested also include the training of facility staff with respect to routine maintenance and operation of all improvements. Improvements must result in a guaranteed minimum energy savings with the ESCO Payments linked to actual measured and verified reductions in energy cost or consumption. No contract shall exceed ten (10) years in duration and is subject to annual appropriations. Annual cost savings derived from such improvements beyond the guaranteed minimum savings will be divided between The CITY and the selected ESCO based on a formula to be agreed upon during final contract negotiations. The energy savings achieved by the installed projects need to be sufficient to cover all project costs including annual maintenance and monitoring fees for the duration of the contract term. At a minimum, the energy savings guarantee should be structured to correspond to the annual financing costs associated with the project.

DESCRIPTION OF THE PROCUREMENT PROCESS

It is anticipated that the process for the procurement of these energy services will proceed in three stages.

- 1.) SUBMISSION OF WRITTEN QUALIFICATIONS. The CITY through its designated representatives will review and evaluate the written responses to this Request for Qualifications (RFQ) in accordance with the evaluation criteria identified in Attachment A. The CITY will rank a limited number of qualified ESCOs which will be invited to proceed to the competitive oral interview stage of the procurement process.

16

ATTACHMENT B

Proposed Project Schedule
(Subject to Revision)

Activity:	Date:
1. Issue RFP	6/20/94
2. Pre-proposal meeting with site walk-through	7/11/94
3. Site Visit *	
4. Qualifications Due	7/29/94
5. Written Qualifications Reviewed and Evaluated (ESCO short list)	8/15/94
6. Oral Interviews (if needed)	8/16/94-8/19/94
7. ESCO Recommended	8/31/94
8. Approval of Selected ESCO	9/14/94
9. Contract Negotiations	10/17/94-10/31/94
10. Contract Presented and Signed	11/9/94

*Site visits can be arranged by contacting:

Mr. Bryan Kerwin
Energy Services Group
Electric Department
City of Tallahassee
300 S. Adams St.
Tallahassee, FL 32301-1731